

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No.: 09/965,890

REMARKS

This Amendment, submitted in response to the Office Action dated January 19, 2005, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-28 are pending in the application.

Claim 1 has been amended to include the subject matter of prior pending claims 7 and 25 and thus, new search or consideration is not believed to be required.

Claims 1, 4, 5, 16-19, 25 and 26 are rejected under 35 U.S.C. §102(b) as being anticipated by Jingu (U.S. Patent No. 5,537,127) (“Jingu”). Claims 3, 6, 10, 11, 15 and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jingu in view of Suzuki (U.S. Patent No. 6,344,836) (“Suzuki”). Claims 2 and 8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jingu in view of Inbar (U.S. Patent No. 6,119,380) (“Inbar”). Claims 7, 9, and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jingu in view of Yishida et al. (U.S. Patent No. 5,617,112) (“Yishida”). Claims 13, 14, 20-23, 27, and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jingu in view of Berman et al. (U.S. Patent No. 6,448,956) (“Berman”). Applicant submits the following arguments to traverse the prior art rejections.

Rejection of claims 1, 4, 5, 16-19, 25 and 26 under §102(b) over Jingu

In the Office Action, the Examiner states that Jingu discloses a plurality of CRT displays, which the Examiner characterizes as a kind of a flat panel display.

Applicant respectfully submits that a flat panel display is *not* a CRT display. Rather, a “flat-panel display” comprises a video display employing liquid crystals, electroluminescence, *or*

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*a similar alternative to cathode-ray tubes.*¹ Though both CRTs and flat panel displays are displays, one skilled in the art would understand that a CRT display, characterized by a curved surface, comprises a display of a separate category than that claimed. Therefore, claim 1 cannot possibly be anticipated because Jingu fails to disclose a plurality of flat panel displays, either expressly or inherently.

Moreover, Jingu fails to disclose:

a casing for integrally accommodating said plurality of flat panel displays;
a power source common to said plurality of flat panel displays; and
a control unit for controlling image data signals displayed on said plurality of flat panel displays

There is nothing in Jingu which discloses the claimed casing, power, and control unit. In the Office Action, the Examiner argues that the Abstract purportedly discloses a casing for integrally accommodating said plurality of flat panel displays. Jingu, however, discloses an image monitor system console 10 having a body 12 designed specifically for bulky CRT-type displays. *See* col. 4, lines 49-59 and Fig. 2 (console 10 and body 12); and col. 4, lines 60-65 and col. 5, lines 18-23 (CRT).

Further, the power source and drive means 120 cited by the Examiner do not disclose the claimed power source and the control unit. Col. 4, lines 49-59. Rather, the power source and the drive means 120 are designed for CRT displays which have power and control requirements which are uniquely different from those of flat-panel displays. In addition, the drive means 120

¹ American Heritage Dictionary of the English Language (4th ed. 2000) (emphasis added), *available at* <http://dictionary.reference.com/search?q=flat%20panel%20display> (last visited February 17, 2005).

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operates the hydraulic cylinder assembly 116 in order to change the positions of the motor units 111 and 112 and does not control the operation or the display of the monitors 111a, 111b, etc.

See col. 8, lines 41-46.

In response to the Examiner's rejection of claim 7 which is now incorporated into claim 1, under §103(a) over Jingu in view of Yishida, Applicant respectfully requests the Examiner to provide references which teach, suggest, or provide motivation for a medical image display system wherein in each of said plurality of flat panel displays, a display screen size in a diagonal line direction is 10 inches to 25 inches, a pixel size is 50 μm to 240 μm , the number of pixels is 1200 pixels \times 1600 pixels or more, and an aspect ratio is 1 to 4/3. When evaluating the scope of a claim, every limitation in the claim must be considered. As argued in the previous Amendment, it is *impermissible* for the Examiner to dismiss these inventive aspects of claim 7 without providing prior art which provides the necessary teaching, suggestion or motivation.

In addition to the above, Applicant submits that a display screen size, a pixel size, the number of pixels, and an aspect ratio of a flat panel display can affect the ease in the observation of a medical image displayed on the flat panel display and the accuracy of the diagnosis. Having all of the above elements within the respective ranges defined in the present invention can achieve the object of the present invention to display a plurality of medical images with an appropriate size as soft copies as in the case where a plurality of films are arranged on a Schaukasten (page 3, line 16 - page 4, line 1), enabling the observation and the diagnosis to be performed without having incongruity, and thereby allowing for accurate diagnosis. *See page 14, line 7 - page 15, line 4 of the present specification.*

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Claims 4, 5, 16-19, and 26, which depend from claim 1, are patentable for at least the above reasons submitted for claim 1.

Rejection of claims 3, 6, 10, 11, 15 and 24 under §103(a) over Jingu in view of Suzuki
Applicant submits that claims 3, 6, 10, 11, 15, and 24 are patentable for at least the reasons submitted for claim 1 and because Suzuki fails to make up for the deficiencies of Jingu.

Rejection of claims 2 and 8 under §103(a) over Jingu in view of Inbar
Applicant submits that claims 2 and 8, which depend from claim 1, are patentable for at least the reasons submitted for claim 1 and because Inbar fails to make up for the deficiencies of Jingu.

Moreover, Applicant submits that while Inbar discloses a transparency viewing device, there is nothing to suggest that one skilled in the art would use a *CRT display* to provide the illumination for viewing a medical film, and thus, to modify the image monitor system console 10 of Jingu with the spring-loaded film-holder clips of Inbar. To the contrary, the curved surface found on the screen of CRT displays would *teach away* from using the CRT display as a light box.

Rejection of claims 9 and 12 under §103(a) over Jingu in view of Yishida
Claims 9 and 12, which depend from claim 1, are patentable for at least the reasons submitted for claim 1 and because Yishida fails to make up for the deficiencies of Jingu.

Rejection of claims 13, 14, 20-23, 27 and 28 under §103(a) over Jingu in view of Berman et al.
Applicant submits that claims 13, 14, 20-23, 27 and 28, which depend from claim 1, are patentable for at least the reasons submitted for claim 1 and because Berman fails to make up for the deficiencies of Jingu.

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In view of the above, Applicant submits that claims 1-28 are in condition for allowance. Therefore it is respectfully requested that the subject application be passed to issue at the earliest possible time. The Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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